

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MRS. ELIZABETH ALEMU,

Plaintiff,

v.

MEDICAL IMAGING NW,

Defendant.

Case No. C05-5535 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's Motion to Continue Deadlines [Dkt. #13].

Having considered the entirety of the records and file herein, the Court rules as follows:

This is a discrimination case. Plaintiff, pro se, filed the Complaint on August 15, 2005. [Dkt. #1]. This Court sent out a Scheduling Order that same date requiring that the Fed. R. Civ. P. 26(f) conference occur by October 31, 2005, that initial disclosures occur by November 7, 2005, and that a Joint Status Report be filed by November 14, 2005. [Dkt. #3]. On December 8, 2006, this Court ordered the plaintiff to show cause why the case should not be dismissed because she had not shown proof of service of the Complaint nor had she filed a Joint Status Report. [Dkt. #4]. Plaintiff responded on December 16, 2005 with proof of service. [Dkt. #5]. On January 18, 2006 this Court reset the Fed. R. Civ. P. 26(f) conference, initial disclosures, and Joint Status Report deadlines. On January 25, 2006 defendant filed its Answer. [Dkt. #8]. On February 14, 2006 plaintiff filed a motion to extend the deadlines set forth above and argued that she needed further time because she had

1 recently been appointed John David Terry, Esq. as counsel through her pre-paid legal services plan, and that
 2 her attorney was not available to meet the Court's deadlines. [Dkt. #10]. The Court granted plaintiff's motion
 3 and extended the deadlines. The Court set the deadline for the Fed. R. Civ. P. 26(f) conference for May 19,
 4 2006, initial disclosures for May 26, 2006, and the Joint Status Report for June 2, 2006. [Dkt. #11]. In that
 5 Order, the Court also informed plaintiff that:

6 Plaintiff is cautioned that the above dates are firm and if no attorney
 7 appears on her behalf, she will still be expected to comply with the
 8 above dates. The failure of plaintiff to comply with the above dates
 9 may result in the dismissal of her complaint.

10 *Id.*

11 Despite the above warning from the Court, plaintiff seeks yet another extension of time to comply with
 12 this Court's scheduling orders. She bases this request for an extension of time on a letter from John David
 13 Terry, Esq. which indicates that he will not be able to represent her. She seeks a thirty-day extension in order
 14 to obtain another attorney referral from her pre-paid legal services plan.

15 Plaintiff filed this case acting as her own attorney on August 15, 2005. She has been granted two
 16 previous extensions of time to complete the basic requirements to move this lawsuit forward. She was
 17 informed by this Court that even if no attorney appeared on her behalf, she would be expected to comply with
 18 the Court's scheduling order and participate in the Fed. R. Civ. P. 26(f) conference, complete the initial
 19 disclosures, and file a Joint Status Report. No attorney has filed an appearance and the requirements of this
 20 Court's Order have not been met. The Court will extend the deadlines one last time. **The plaintiff is warned**
 21 **that even if no attorney appears on her behalf the failure to abide by the dates set forth in this Order**
 22 **will result in the dismissal of her complaint for failure to prosecute and for the failure to comply with**
 23 **the Court's Orders.**

24 **Fed. R. Civ. P. 26(f) conference: June 14, 2006**

25 **Initial Disclosures under Fed. R. Civ. P. 26(a): June 21, 2006**

26 **Joint Status Report and Discovery Plan: June 28, 2006**

27 **IT IS SO ORDERED.**

1 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing
2 pro se.

3 Dated this 1st day of June, 2006.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE
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